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10/580,612	03/27/2007	Edwin Robin Russell	22630/112029-04	5570

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EXAMINER

WUJCIAK, ALFRED J

ART UNIT

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3632

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/580,612	Applicant(s) RUSSELL, EDWIN ROBIN	
	Examiner Alfred Joseph Wujciak III	Art Unit 3632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 16, 17 and 20 is/are rejected.
- 7) ☒ Claim(s) 7-15, 18 and 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 May 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

This is the first Office Action for the serial number 10/580,612, ADJUSTABLE SUPPORT MECHANISM, filed on 3/27/07.

Priority

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Australia on 11/24/03. It is noted, however, that applicant has not filed a certified copy of the 2003906642 application as required by 35 U.S.C. 119(b).

Drawings

The drawings are objected to under 37 CFR 1.83(a) because they fail to show half nut or full nut connected to the linking member as cited in claim 12 and the helical mesh teeth in the cylinder and linking member as cited in claim 13 as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet

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submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities: On page 10, line 13, "The axle shaft 34" should be changed to ---The axle shaft 30--- for clarification.

Appropriate correction is required.

Claim Objections

The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 14-18 been renumbered 16-20.

Claim 20 is objected to because of the following informalities: Claim 20, line 3, "providing support mechanism according to claim 1" is not clear if the applicant intend to include all of elements from claim 1 into claim 20. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6 and 16-17 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent # 6,672,553 to Lin.

Lin teaches a first bracket (1), a second bracket (4 and 7), a connecting member (5) pivotally coupled to the first bracket at a first position and pivotally coupled to the second bracket position spaced from the first position, and a linking member (3) coupled to the connecting member so as to be movable in relation to the connecting member. The linking member is arranged to engage the first bracket and second bracket. The linking member is coupled to the connecting member so as to be movable transversely in relation to a line between the first position and the second position. The first bracket and the second bracket are each coupled to the connecting member with a screw drive mechanism (21, 61). The screw drive comprises a cylinder with a periphery. The linking member comprises a first end and second end. The first and second ends having collars (231, 631) formed thereon engaging the first bracket and the second bracket by receiving and circumferentially surrounding the cylinders. Lin teaches a biasing means (22, 23) for biasing the linking member to a rest position and a locking mechanism (23).

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lin.

Lin teaches a first bracket (1), a second bracket (4), a connecting member (5) pivotally coupled to the first bracket at a first position and pivotally coupled to the second bracket position spaced from the first position, and a linking member (3) coupled to the connecting member so as to be movable in relation to the connecting member. The linking member is arranged to engage the first bracket and second bracket. The linking member is coupled to the connecting member so as to be movable transversely in relation to a line between the first position and the second position. The first bracket and the second bracket are each coupled to the connecting member with a screw drive mechanism (21, 61). The screw drive comprises a cylinder with a periphery. The linking member comprises a first end and second end. The first and second ends having collars (231, 631) formed thereon engaging the first bracket and the second bracket by receiving and circumferentially surrounding the cylinders. Lin teaches a biasing means (22, 23) for biasing the linking member to a rest position and a locking mechanism (23). The first bracket is connected to immovable object (A which is connected to table, column 2, line 37) and the second bracket is connected to movable object (7).

Lin teaches all elements above but fails to teach the use of elements in method. It would have been obvious for one of ordinary skill in the art at the time the invention was made to have

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specified steps for hooking LCD on a support mechanism that is mounted on table to avoid damaging the LCD when support mechanism is not properly mounted on table.

Allowable Subject Matter

Claims 7-15 and 18-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US Patent # 5,924,666 to Liu

US Patent # 6,533,229 to Hung

US Patent # 6,135,404 to Wisniewski et al.

US Patent # 5,363,089 to Goldenberg

US Patent # 6,012,693 to Voeller et al.

US Patent # 6,769,657 to Huang

US Patent # 6,113,046 to Wang

Liu, Hung, Wisniewski et al., Goldenberg, Voeller et al., and Wang teach brackets being adjustable supported by connecting member and linking member.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alfred Joseph Wujciak III whose telephone number is (571) 272-6827. The examiner can normally be reached on 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. Allen Shriver can be reached on 571-272-6698. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alfred Joseph Wujciak III/
Primary Examiner, Art Unit 3632
11/24/08